

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ISMAEL ZAMBRANO-TIRADO, SR A/K/A  
"SENIOR," *et al.*,

Defendants.

**8:19CR245**

**AMENDED PRELIMINARY ORDER OF  
FORFEITURE REGARDING CERTAIN  
PROPERTY**

This matter is before the Court upon the United States of America's Motion for an Amended Preliminary Order of Forfeiture (Filing No. 248). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On August 21, 2019, a federal grand jury sitting in this District returned a Twenty-Count Superseding Indictment against defendants. The Forfeiture Allegation alleged that defendants used the properties listed therein to facilitate the offenses and/or that the properties were derived from proceeds obtained directly or indirectly as a result of the commission of the offenses. Included in the list of properties was a 2016 Dodge Challenger RT Scat Pack, VIN: 2C3CDXGJ9GH143323, registered to Samuel Garcia.
2. On February 4, 2021, the Court entered a Preliminary Order of Forfeiture forfeiting defendants' interests in certain properties, including a 2016 Dodge Challenger. (Filing No. 192).
3. On April 20, 2021, the Court entered a Final Order of Forfeiture forfeiting defendants' interests in the subject properties, including the 2016 Dodge Challenger. (Filing No. 234).

4. The United States has informed the Court that the vehicle description contained a typographical error, and that the vehicle is actually a 2016 Dodge **Charger** RT Scat Pack, VIN: 2C3CDXGJ9GH143323.

5. Via interlineation, the description of the vehicle may be corrected to accurately describe the vehicle as a Charger instead of a Challenger *nunc pro tunc*.

6. By virtue of defendants' pleas of guilty, defendants forfeited their interests in the subject properties, including the 2016 Dodge Charger. Accordingly, the United States should be entitled to possession of the vehicle pursuant to 21 U.S.C. § 853.

7. The Motion for an Amended Preliminary Order of Forfeiture should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Motion for an Amended Preliminary Order of Forfeiture is hereby granted.

B. Based upon the Forfeiture Allegation of the Superseding Indictment and the pleas of guilty, the United States is hereby authorized to seize the 2016 Dodge Charger.

C. Defendants' interests in the 2016 Dodge Charger is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

D. The United States shall hold the 2016 Dodge Charger in its secure custody and control.

E. Pursuant to 21 U.S.C. § 853(n)(1), the United States shall publish notice of this Preliminary Order of Forfeiture for at least thirty consecutive days on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov). The United States may

also, to the extent practicable, provide direct written notice to any person known to have an interest in the properties.

F. Pursuant to 21 U.S.C. § 853(n)(2), such notice shall provide that any person, other than the defendant, having or claiming a legal interest in any of the 2016 Dodge Charger must file a petition with this Court within 30 days of the final publication of notice or of receipt of actual notice, whichever is earlier.

G. Pursuant to 21 U.S.C. § 853(n)(3), a petitioner must sign the petition under penalty of perjury and set forth the nature and extent of the petitioner's right, title or interest in the property and any additional facts supporting the petitioner's claim and the relief sought.

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

ORDERED this 20<sup>th</sup> day of May, 2021.

BY THE COURT:

s/ Joseph F. Bataillon  
Senior United States District Judge